

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1001 be amended to read as follows:

- 1 Page 72, between lines 37 and 38, begin a new paragraph and insert:
- 2 "SECTION 87. IC 6-1.1-12.1-1.5 IS ADDED TO THE INDIANA
- 3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 2008]: **Sec. 1.5. (a) This section applies to a**
- 5 **deduction application filed after June 30, 2008.**
- 6 **(b) A designating body may not approve a deduction under this**
- 7 **chapter unless the designating body's action is approved in a local**
- 8 **public question submitted to the voters of the county in which the**
- 9 **property for which the applicant seeks a deduction is located.**
- 10 **(c) The following question shall be submitted to the voters at the**
- 11 **election conducted under this section:**
- 12 **"Shall \_\_\_\_\_ (insert the name of the designating body)**
- 13 **approve a property tax deduction to \_\_\_\_\_ (insert the**
- 14 **name of the applicant for the proposed deduction) for the**
- 15 **development or redevelopment of \_\_\_\_\_ (insert a**
- 16 **description of the applicant's property) with an estimated property**
- 17 **tax rate impact of \_\_\_\_\_ (insert the estimated impact**
- 18 **of the proposed deduction on the unit's property tax rate)?"**
- 19 **(d) The county auditor shall certify the public question**
- 20 **described in subsection (c) under IC 3-10-9-3 to the county election**
- 21 **board of each county in which the political subdivision is located.**
- 22 **After the public question is certified, the public question shall be**
- 23 **placed on the ballot at:**
- 24 **(1) a special election on the date set by the county board of tax**

and capital projects review, at which all voters of the county are entitled to vote; or

(2) the next election in which all voters of the county are entitled to vote, if the county board of tax and capital projects review has not set a date for a special election, except in a year in which there is no election, in which case the county election board shall call a special election for the referendum.

(e) The circuit court clerk shall certify the results of the public question to the following:

(1) The designating body for which the referendum was held.

(2) The county auditor of the county in which the designating body is located.

(3) The county board of tax and capital projects review.

(f) If a majority of the voters voting on the public question vote in favor of the public question, the county board of tax and capital projects review shall take prompt and appropriate steps to notify the designating body that the governing body may take any necessary action to award the applicant a property tax deduction under this chapter.

(g) If less than a majority of the voters voting on the public question vote in favor of the public question, both of the following apply:

(1) The designating body may not award the applicant a property tax deduction under this chapter.

(2) Another public question under this section on the same or a substantially similar project may not be submitted to the voters earlier than one (1) year after the date of the election held under this section.

(h) IC 3, to the extent not inconsistent with this section, applies to an election held under this section."

Page 157, between lines 20 and 21, begin a new paragraph and insert:

"SECTION 175.IC 6-1.1-46 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]:

**Chapter 46. Establishment or Expansion of Allocation Areas**

**Sec. 1. This chapter applies to an allocation area established or expanded after June 30, 2008.**

**Sec. 2. Except as otherwise provided, the definitions in IC 36 apply throughout this chapter.**

**Sec. 3. As used in this chapter, "allocation area" refers to an area that is established under the authority of any of the following statutes and in which tax increment revenues are collected:**

(1) IC 8-22-3.5.

(2) IC 36-7-14.

(3) IC 36-7-14.5.

(4) IC 36-7-15.1.

1 (5) IC 36-7-30.

2 Sec. 4. As used in this chapter, "governing body" means the  
3 following:

4 (1) For an allocation area created under IC 8-22-3.5, the  
5 commission (as defined in IC 8-22-3.5-2).

6 (2) For an allocation area created under IC 36-7-14, the  
7 redevelopment commission.

8 (3) For an allocation area created under IC 36-7-14.5, the  
9 redevelopment authority.

10 (4) For an allocation area created under IC 36-7-15.1, the  
11 metropolitan development commission.

12 (5) For an allocation area created under IC 36-7-30, the  
13 military base reuse authority.

14 Sec. 5. A governing body may not establish or expand an  
15 allocation area unless the governing body's action is approved in  
16 a local public question submitted to the voters of the county in  
17 which the territory of the:

18 (1) proposed allocation area; or

19 (2) proposed expansion of an existing allocation area;  
20 is located.

21 Sec. 6. (a) The following question shall be submitted to the  
22 voters at the election conducted under this section:

23 "Shall \_\_\_\_\_ (insert the name of the governing body)  
24 establish an allocation area or expand an allocation area for  
25 \_\_\_\_\_ (insert the area covered by the proposed new  
26 or expanded allocation area) for the development of \_\_\_\_\_  
27 (insert a description of the proposed project) with an estimated  
28 property tax impact of \_\_\_\_\_ (insert the estimated  
29 amount of allocated property taxes)?".

30 (b) The county auditor shall certify the public question  
31 described in subsection (a) under IC 3-10-9-3 to the county election  
32 board of each county in which the political subdivision is located.  
33 After the public question is certified, the public question shall be  
34 placed on the ballot at:

35 (1) a special election on the date set by the county board of tax  
36 and capital projects review, at which all voters of the county  
37 are entitled to vote; or

38 (2) the next election in which all voters of the county are  
39 entitled to vote, if the county board of tax and capital projects  
40 review has not set a date for a special election, except in a year  
41 in which there is no election, in which case the county election  
42 board shall call a special election for the referendum.

43 (c) The circuit court clerk shall certify the results of the public  
44 question to the following:

45 (1) The governing body for which the referendum was held.

46 (2) The county auditor of the county in which the governing  
47 body is located.

1           **(3) The county board of tax and capital projects review.**

2           **(d) If a majority of the voters voting on the public question vote**  
3 **in favor of the public question, the county board of tax and capital**  
4 **projects review shall take prompt and appropriate steps to notify**  
5 **the governing body that the governing body may take any**  
6 **necessary action to establish or expand the allocation area.**

7           **(e) If less than a majority of the voters voting on the public**  
8 **question vote in favor of the public question, both of the following**  
9 **apply:**

10           **(1) The governing body may not establish or expand the**  
11 **proposed allocation area.**

12           **(2) Another public question under this section on the same or**  
13 **a substantially similar project may not be submitted to the**  
14 **voters earlier than one (1) year after the date of the election**  
15 **held under this section.**

16           **(f) IC 3, to the extent not inconsistent with this section, applies**  
17 **to an election held under this section."**

18           Renumber all SECTIONS consecutively.

              (Reference is to HB 1001 as printed January 17, 2008.)

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Representative Goodin